

[EXECUTIVE ORDER NO. 174, May 22, 1987]

FURTHER AMENDING REPUBLIC ACT NO. 5921, ENTITLED "AN ACT REGULATING THE PRACTICE OF PHARMACY AND SETTING STANDARDS OF PHARMACEUTICAL EDUCATION IN THE PHILIPPINES AND FOR OTHER PURPOSES", AS AMENDED

WHEREAS, consistent with the State policies as enunciated in Article II Section 15 of the 1987 Constitution, that: "The State shall protect and promote the right to health of the people and instill health consciousness among them", and Article XIII, Section 12, that: "The State shall establish and maintain an effective food and drug regulatory and undertake appropriate health manpower development and research, responsive to the country's health needs and problems", the Pharmacy Law must be further amended to strengthen the legal basis of the regulation of drugs and devices;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

SECTION 1. Section 29 of Republic Act No. 5921 is hereby amended to read as follows:

"SEC. 29. Responsibility for safety, efficacy, quality and purity of drugs. - In cases of drugs, pharmaceuticals, poisons or devices sold in their original packings, the seal of which has not been broken or tampered with, the liability that may arise because of their safety, efficacy, quality and purity, rests upon the manufacturer or in his absence, upon the importer, the distributor, representative, or dealer, who was responsive for their distribution or sale."

SECTION 2. Section 40 of Republic Act No. 592 is hereby amended to read as follows:

"SEC. 40. Penal provisions. - Any person who shall violate any of the provisions of Sections twelve, twenty-four, twenty-five, twenty-six and twenty-seven of this Act or any person who shall make false representation to procure a registration certificate as pharmacist for himself or for another; or any person who shall allow anyone in his employ who is not a registered pharmacist to engage in the practice of pharmacy; or any person who shall falsely display within the establishment the certificate of registration of a pharmacist who is not actually and regularly employed therein as such or to act as a dummy for any alien or an unqualified person for the purpose of opening and operating a retail drugstore; shall, upon conviction thereof, be sentenced to a fine of not less than one thousand pesos but not exceeding four thousand pesos or to an imprisonment of not less than six months and one day but not more than four years, in the discretion of the court."